

No. 11-1898

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

TOM BRADY *et al.*,

Plaintiffs-Appellees,

v.

NATIONAL FOOTBALL LEAGUE *et al.*,

Defendants-Appellants.

On Appeal From The United States District Court
For The District Of Minnesota

**PLAYERS' MOTION FOR LEAVE TO FILE A 30-PAGE RESPONSE
TO APPELLANTS' EMERGENCY MOTION FOR A STAY**

James W. Quinn
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, N.Y. 10153
(212) 310-8000

Jeffrey L. Kessler
DEWEY & LEBOEUF LLP
1301 Avenue of the Americas
New York, N.Y. 10019
(212) 259-8000

Theodore B. Olson
Counsel of Record
Andrew S. Tulumello
Scott P. Martin
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500
(202) 530-4238 (facsimile)

Counsel for Plaintiffs-Appellees
[Additional Counsel Listed on Inside Cover]

Barbara P. Berens
Justi Rae Miller
BERENS & MILLER, P.A.
3720 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 349-6171

Timothy R. Thornton
BRIGGS & MORGAN, P.A.
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 977-8550

Bruce S. Meyer
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, N.Y. 10153
(212) 310-8000

David G. Feher
David L. Greenspan
DEWEY & LEBOEUF LLP
1301 Avenue of the Americas
New York, N.Y. 10019
(212) 259-8000

Counsel for Plaintiffs-Appellees

In light of the importance of this appeal and the expedited nature of the underlying motion, Plaintiffs-Appellees (the “Players”) respectfully request leave to file a 30-page brief in opposition to the motion by Defendants-Appellants (the “NFL Defendants”) for a stay pending appeal.

On April 25, 2011, the district court granted the Players’ motion for a preliminary injunction and enjoined the NFL Defendants from continuing their anti-competitive “lockout.” The NFL Defendants filed a notice of appeal and also moved the district court for a stay pending review by this Court. Two days later, the district court denied the NFL Defendants’ motion. The NFL Defendants then filed their motion for a stay from this Court.

The district court granted the preliminary injunction in a thorough, 89-page order, and it issued a separate, 20-page order explaining its denial of the NFL Defendants’ motion for a stay. The NFL Defendants’ now-pending motion requires this Court to examine those opinions and the underlying issues on a significantly expedited basis. The Players seek this Court’s permission to file a 30-page opposition brief in order to provide this Court the benefit of thorough briefing and aid the Court in its analysis of the issues.

The Players respectfully request leave to submit a 30-page opposition brief in response to the NFL Defendants' motion for a stay pending appeal.

April 29, 2011

James W. Quinn
Bruce S. Meyer
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, N.Y. 10153
(212) 310-8000

Jeffrey L. Kessler
David G. Feher
David L. Greenspan
DEWEY & LEBOEUF LLP
1301 Avenue of the Americas
New York, N.Y. 10019
(212) 259-8000

Timothy R. Thornton
BRIGGS & MORGAN, P.A.
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 977-8550

Respectfully submitted,

/s/ Theodore B. Olson

Theodore B. Olson
Counsel of Record
Andrew S. Tulumello
Scott P. Martin
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500
(202) 530-4238 (facsimile)

Barbara P. Berens
Justi Rae Miller
BERENS & MILLER, P.A.
3720 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 349-6171

Counsel for Plaintiffs-Appellees

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2011, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit using the CM/ECF system and served a copy by U.S. Mail on those participants in the case who are not registered CM/ECF users.

/s/ Theodore B. Olson

Theodore B. Olson

GIBSON, DUNN & CRUTCHER LLP

1050 Connecticut Avenue, N.W.

Washington, D.C. 20036